

CITY OF KELOWNA

REVISED AGENDA

PUBLIC HEARING

JUNE 1, 2004 – COUNCIL CHAMBER

CITY HALL – 1435 WATER STREET

7:00 P.M.

CHAIRMAN WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend *Kelowna 2020* - Official Community Plan Bylaw No. 7600 and Zoning Bylaw No. 8000.
 - (b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing.
 - (c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after May 14, 2004 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.
 - (d) Council debate on the proposed bylaws will take place when they are considered by Council during the Regular Council meeting after the conclusion of this Hearing.
 - (e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.
2. The City Clerk will provide information as to how the meeting was publicized.

3. INDIVIDUAL BYLAW SUBMISSIONS:

3.1

BYLAW NO. 9240 (OCP04-0009)

PURPOSE: To designate properties that are zoned to permit Secondary Suites and Two Dwelling Housing as Intensive Residential Development Permit Areas.

3.2(a)

BYLAW NO. 9236 (OCP04-0010)

PURPOSE: City of Kelowna has identified a number of housekeeping items that need to be amended in the Kelowna Official Community Plan (2000-2020) Bylaw No. 7600. These housekeeping items that need to be updated consists of minor word changes for clarification, and mapping updates based on recent subdivision approvals as well as clarification of the OCP provisions with respect to Development Permit requirements for institutional developments with Urban Centres or containing a residential, commercial or industrial component.

3.2(b)

BYLAW NO. 9243 – Official Community Plan Amendment

PURPOSE: To replace the existing Shore Zone Route of Access policy in Chapter 14 – Parks and Leisure of the OCP with a new policy to pursue a 10 metre public route of access along Lake Okanagan on ***all*** pending applications for subdivision and rezoning. The existing policy does not apply to applications for single family residential development.

3.3

BYLAW NO. 9217 (Z04-0018)

LOCATION: 441 Lawrence Avenue

LEGAL DESCRIPTION: Lot 1, District Lot 139, ODYD, Plan 3508

APPLICANT: 664918 BC Ltd. (The Blue Gator)

OWNER: Kelowna Speedometer Ltd. – Frank Beckmann

PRESENT ZONING: C7 – Central Business Commercial

REQUESTED ZONING: C7lp – Central Business Commercial (Liquor Primary)

PURPOSE: The applicant wishes to rezone the subject property in order to add a liquor primary designation to the present zone in order to accommodate a proposed liquor primary license for the Blue Gator Restaurant.

3.4

BYLAW NO. 9228(Z04-0022)

LOCATION:

Various Locations

LEGAL DESCRIPTION

Parcel Z, Section 20, Township 26, ODYD, Plan 3604, Parcel A (DD 129455F and Plan B4490) of Lot 7, District Lot 14, ODYD, Plan 2336, Parcel A (DD 145723F and Plan B6784), Lot 25, Section 16, Township 26, ODYD, Plan 187, Lot A, District Lots 126 and 532, ODYD, Plan KAP62809, Lot B, District Lot 126 and 532, ODYD, Plan KAP62809, (Part of) Lot CP, Plan K1424, Lot A, Section 19, Township 26, ODYD, Plan 38095, Lot CP and Lots 1-42, Plan K1125 and Lot 3, Section 27, Township 26, ODYD, Plan 13359.

Part of Lots 1, 2 3 and 25, DL 1688S, SDYD, Plan KAP74275, Part of Lot 41, DL 1688S, SDYD, Plan KAP74275, Part of Lots 5, 6, 7, 8, and 9, DL 579, SDYD, Plan KAP74689, Part of Lots 21, 22, 37, 38, 39 and 40, DL579, SDYD, Plan KAP74689, Part of Lots 26, 27, 28, 29 and 30, Section 13, Township 26, ODYD, Plan KAP75167, Part of Lot 1, DL's 126, 127 and 142, ODYD, Plan KAP74479, Part of Lot 2, DL's 142 and 4646, ODYD, Plan KAP74479, Part of Lot A, Sections 4, 5, 8 and 9, Township 23, ODYD, Plan KAP69724 Except Plans KAP71944 and KAP73768, Part of Lots 33, 34 and 35, Section 9, Township 23, ODYD, Plan KAP73768, Part of Lot 37, Section 9, Township 23, ODYD, Plan KAP73768, Part of Lots 41, 42, 43, 44 and 45, Section 9, Township 23, ODYD, Plan KAP73768, Part of Lot 25, Section 9, Township 23, ODYD, Plan KAP73768

APPLICANT:

City of Kelowna

OWNERS:

Various Owners

**PRESENT/
REQUESTED
ZONINGS:**

From RU6 – Two Dwelling Housing, C9 – Tourist Commercial, P4 – Utilities, I2 – General Industrial, C10 – Service Commercial, A1 – Agriculture 1, RU2 – Medium Lot Housing, RM2 – Low Density Row Housing and P2 – Education and Minor Institutional zones **to** RU6b – Two Dwelling Housing with Boarding or Lodging House, RU6 – Two Dwelling Housing, A1 – Agriculture 1, I2 – General Industrial, C10 – Service Commercial, RM3 – Low Density Multiple Housing, RU6 – Two Dwelling Housing and RU5 – Bareland Strata Housing zones.

From P3 - Parks and Open Space, RU1h - Large Lot Housing (Hillside Area), RR2 – Rural Residential 2, A1 – Agriculture 1, RU4h – Low Density Cluster Housing (Hillside Area), P3 – Parks and Open Space, RU2h – Medium Lot Housing (Hillside Area), P4 – Utilities zones **to** RU1h - Large Lot Housing (Hillside Area), P3 - Parks and Open Space, RU1 - Large Lot Housing, RU1h – Large Lot Housing (Hillside Area), C4 – Urban Centre Commercial, RM6 – High Rise Apartment Housing, RU2h – Medium Lot Housing (Hillside Area), P4 – Utilities, RU4 – Low Density Cluster Housing zones.

PURPOSE:

To correct zoning discrepancies in the City of Kelowna Zoning Bylaw 8000 which resulted from the conversion of Bylaw 4500 to Bylaw 8000. Also, this bylaw is to correct other discrepancies that are a result of subdivision procedures which result in zoning boundaries that do not correspond with eventual lot lines. Maps outlining affected areas and zoning classifications are available for viewing in the Office of the City Clerk, City Hall.

3.5(a)

BYLAW NO. 9238 (ZONING BYLAW TEXT AMENDMENT TA04-0001) – TO ADD THE CD16 – COMPREHENSIVE DEVELOPMENT ZONE

LOCATION: 1585 Springfield Road
LEGAL DESCRIPTION: Lot A, District Lot 129, ODYD, Plan KAP70110
OWNER/APPLICANT: Springfield Plaza Inc.
REQUESTED ZONING: CD16 – Bingo and Gaming
PURPOSE: To amend the City of Kelowna Zoning Bylaw 8000 by adding a CD16 – Bingo and Gaming section in Schedule “B” - Comprehensive Development Zones, in order to facilitate the existing uses on at the Bingo Kelowna site and proposed future uses including gaming and liquor primary establishments, minor/major.

3.5(b)

BYLAW NO. 9239 (Z04-0011)

LOCATION: 1585 Springfield Road
LEGAL DESCRIPTION: Lot A, District Lot 129, ODYD, Plan KAP70110
OWNER/APPLICANT: Springfield Plaza Inc.
PRESENT ZONING: C10 – Service Commercial
REQUESTED ZONING: CD16 – Bingo and Gaming
PURPOSE: The applicant is proposing to construct a two-storey addition to the existing Bingo Kelowna facility to accommodate a proposed liquor primary license and a broader scope of gaming related activities (slot machines).

4. **PROCEDURE ON EACH BYLAW SUBMISSION:**

- (a) Brief description of the application by City Staff (Planning).
- (b) The Chairman will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes. Where appropriate, the applicant should have sufficient visual aids, e.g. schematics, sketches, etc. to describe the project to the Council and to the public in attendance.
- (d) The Chairman will call for representation from the public in attendance.
 - (i) The microphone at the podium has been provided for any person(s) wishing to make representation to the meeting.
 - (ii) The Chair will recognize ONLY speakers at podium.

(iii) Speakers are encouraged to limit their remarks to 5 minutes. However, if they have additional information they may address Council again after all other members of the public have been heard a first time.

(e) **Questions of staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.**

(f) Final calls for representation (Ask three times) Unless Council directs that the public hearing on the bylaw in question be adjourned (held open), the chairman shall state to the gallery that the public hearing on that bylaw is closed.

5. TERMINATION